

THOM et al.
Appl. No. 10/568,182
August 28, 2008

IN THE DRAWINGS:

Kindly replace the sheet of drawings including Figure 3 with the attached replacement sheet of drawings including Figure 3.

REMARKS/ARGUMENTS

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested.

The drawings were objected to under 37 CFR §1.83(a) because cradle 11 is allegedly not illustrated in Figure 3. As described in paragraphs 36 and 37, it is clear that in the case of the embodiment described in Figure 3, the cradle (11) simply comprises two arms (15) interconnected by a single buoyancy tank (34) at the end of the free arms (15). Therefore, in the attached sheet of replacement drawings, the cradle 11 is generally illustrated with an arrow pointing generally towards two arms 15 and buoyancy tank 34. Arrow 10 has also been moved to point more generally toward the whole arrangement embodied in Figure 3, since feature 10 is supposed to be the floating dry dock generally.

In view of the revision to Figure 3, reconsideration and withdrawal of the objection to the drawings is solicited.

Claims 12, 22 and 27 were objected to as including noted informalities. The informalities noted by the Examiner have been corrected, above. Withdrawal of the objection is solicited.

Claims 12-25 were rejected under 35 USC 112, first paragraph, as allegedly failing to comply with the enablement requirement. In this regard, the Examiner alleges that it is not sufficiently described how the water plane area of the vessel and the dry dock remains substantially constant during lifting and lowering of the vessel. This is achieved in the present invention by the arrangement of the lifting cradle being pivotally mounted to the base and the way the lifting cradle pivots to lower and raise the vessel. Therefore, claim 12 has been amended to make this feature more explicit and to specifically to refer to the vessel being lowered and raised by pivoting the lifting cradle with respect to the buoyant base. In view of the foregoing, reconsideration and

withdrawal of the rejection of claims 12-25 under 35 USC 112, first paragraph, is solicited.

Claims 12-17 and 19-31 were rejected under 35 USC 102(b) and (e) as being anticipated by Hey. Claim 18 has been rejected under 35 USC 103(a) as being unpatentable over Hey. Applicant respectfully traverses these rejections.

Indeed, neither Hey publication discloses the combination of features claimed in claims 12 and/or 26. In particular, the inflatable dry dock of the present invention has among other things, a lifting cradle having two spaced apart arms pivotally mounted on a buoyant base, whereby a vessel is lowered and raised by the floatable dry dock by pivoting the lifting cradle with respect to the base.

In contrast, the tanks disclosed in Hey do not experience a change in buoyancy. Instead, the dry dock of Hey is lifted out of the water, thereby lifting the vessel from the water, by lowering the tanks into the water, which causes the overall buoyancy of the dock to increase. A possible construction envisioned by Hey which incorporates a cradle-type mechanism is a cradle having tanks 11, a triangular plate 20, bunks 13 and associated arms underneath. In this construction, the bunks 13 are submerged to receive a vessel and raised to lift a vessel. However, the bunks and associated arms underneath are not pivoted to any kind of base. It is clear that they are connected to the lifting structure 12, but this connection is not a pivotable mounting.

In order to raise a vessel, the dry dock of Hey requires the tank to be forced into the water by rotating plates 20. In contrast, the cradle of the present invention may be raised and lowered by pumping air in and out of flotation tanks, thereby varying the buoyancy of the flotation tanks, thereby varying the buoyancy of the lifting cradle. This means that the vessel can be raised or lowered without using any kind of hydraulic power or any other similar actuation means. Thus, the invention is not only different from Hey but provides a distinct advantage over Hey.

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For all the reasons advanced above, reconsideration and withdrawal of the Examiner's rejection over Hey is solicited.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and an early Notice to that effect is earnestly solicited.

Respectfully submitted,

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